United Nations A/60/PV.55

General Assembly

Sixtieth session

Official Records

55th plenary meeting
Monday, 28 November 2005, 3 p.m.
New York

President: Mr. Eliasson ..... (Sweden)

In the absence of the President, Mr. Hachani (Tunisia), Vice-President, took the Chair.

The meeting was called to order at 3.10 p.m.

Agenda item 75 *(continued)*

Oceans and the law of the sea

(a) Oceans and the law of the sea

Reports of the Secretary-General (A/60/63 and Add.1 and Add.2 and A/60/91)

Report of the United Nations Open-ended Informal Consultative Process on Oceans and the Law of the Sea at its sixth meeting (A/60/99)

Draft resolution (A/60/L.22)

(b) Sustainable fisheries, including through the 1995 Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks, and related instruments

Report of the Secretary-General (A/60/189)

Draft resolution (A/60/L.23)

Mr. Ozawa (Japan): Today the number of States parties to the United Nations Convention on the Law of the Sea is 149, and there are 122 States parties to the Agreement on the Implementation of Part XI of the Convention. We are pleased to see that these numbers are growing and that the Convention is coming to be widely accepted by the international community. Japan believes that the role of the Convention is becoming increasingly important as the international community faces a range of new issues, including the increase in transnational crimes such as terrorism, piracy and illegal trafficking in drugs, and the growing pressures on the marine environment. Each of these new issues needs to be addressed in a manner that respects the spirit and provisions of the Convention.

Japan, a seafaring nation with a vast exclusive economic zone and continental shelf, is committed to the United Nations Conference on the Law of the Sea and to the organs established under it, namely, the International Tribunal for the Law of the Sea, the International Seabed Authority and the Commission on the Limits of the Continental Shelf. As the largest contributor, we have actively participated in the work of those organs and intend to contribute further to their activities.

With regard to the Tribunal, Japan attaches great importance to its role in the maintenance of order and stability with respect to the ocean. Japan is willing to work steadily to establish and strengthen the rule of law and the principle of the peaceful settlement of conflicts through support for the Tribunal's activities.

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room C-154A. Corrections will be issued after the end of the session in a consolidated corrigendum.

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With regard to the Commission on the Limits of the Continental Shelf, the omnibus draft resolution recognizes how important it is for States to exchange views in order to facilitate the preparation of submissions to the Commission. To that end, Japan, in cooperation with the United Nations University, is planning to host a symposium on scientific and technical aspects of the establishment of the outer limits of the continental shelf beyond 200 nautical miles, to be held in Tokyo from 6 to 7 March 2006. We hope that many States will be able to participate in that symposium.

The world continues to be plagued by threats of piracy and armed robbery at sea. We may recall the hijacking of a World Food Programme ship carrying food assistance in the waters off the coast of Somalia in June this year. Last year, there were more than 300 incidents of piracy around the world, nearly half of which occurred in Asia.

Japan is pleased to note that the Regional Cooperation Agreement on Combating Piracy and Armed Robbery against Ships in Asia was adopted in Tokyo last November after active negotiations that lasted more than three years. Japan took the initiative in proposing that agreement, believing that it would strengthen regional cooperation among maritime security organizations to establish an information-sharing system and a cooperative network dedicated to combating piracy and armed robbery at sea. Japan, which signed that Agreement in April this year, hopes it will not only contribute to enhanced cooperation among States parties in Asia but will also serve as a model of regional cooperation.

Allow me to speak on the subject of the marine environment. Surrounded by the sea, Japan considers the preservation of the marine environment to be extremely important. The issue of marine debris in particular is an urgent matter, as noted in the omnibus draft resolution. The problem should be tackled at various levels. At the regional level, Japan is considering making use of the framework of the Northwest Pacific Action Plan.

As a responsible fishing State and a State party to the United Nations Convention on the Law of the Sea, Japan is earnest about addressing conservation and management problems, as well as sustainable use issues related to living marine resources, including straddling fish stocks and highly migratory fish stocks. Those efforts have been implemented individually, bilaterally and multilaterally.

Japan is seriously concerned about illegal, unreported and unregulated (IUU) fishery activities and issues related to the overcapacity of global fisheries, which are becoming increasingly serious despite the efforts being made to promote the sustainable use of living marine resources. My Government has shown that it is committed to eliminating IUU fishing in order to conserve the marine ecosystem.

In that regard, we would like to stress once again the importance of basing our discussions of the issues of conservation and management and of the sustainable use of living marine resources on scientific evidence provided by competent organizations such as the Food and Agriculture Organization of the United Nations and the regional fisheries management organizations. We believe that regional organizations have the required specialized expertise to provide accurate assessments and thus offer a better forum than the United Nations for such discussions.

In our view, operative paragraph 46 of the omnibus draft resolution on oceans and the law of the sea (*A/60/L.22*), which deals with the transport of radioactive materials, unfortunately does not reflect the spirit or the substance of the series of thorough discussions on this issue conducted by the International Atomic Energy Agency and relevant organizations. Although Japan will not make an objection on that point, we do wish to express our dissatisfaction on that matter.

In concluding, I wish to reaffirm that Japan will continue to contribute to the stability of the legal framework on ocean affairs and, by so doing, promote prudent and equitable use of the sea by the international community, in accordance with the United Nations Conference on the Law of the Sea.

Mr. Panggabean (Indonesia): At the outset, I thank the Secretary-General for his comprehensive reports on oceans and the law of the sea and on sustainable fisheries.

We are all aware that management of our oceans is a complex and multidimensional undertaking, which will become ever more complex as technological progress opens the door to further exploration of the potential benefits of the ocean.

The report of the Secretary-General on oceans and the law of the sea demonstrates that there is more

to the sea than the exploitation of traditional natural resources such as fisheries, oil and gas. The sea offers other economically valuable benefits to be exploited, such as genetic and biological resources.

That presents us with the challenge of ensuring the availability of those resources in the long run. Already, related issues have emerged, ranging from protecting the environment to sharing the benefits. In my delegation's view, the problems have to be approached in a holistic manner, taking social, economic and environmental aspects into account in order to ensure the sustainable use of the oceans for future generations.

All that was not entirely anticipated when the Convention was concluded in 1982. However, my delegation reaffirms Indonesia's conviction that the Convention serves as the main international instrument on ocean affairs for governing all activities relating to the use and the utilization of the oceans. The draft resolution under consideration reflects that acknowledgement by reaffirming our commitment to preserving the Convention's integrity. In the light of that consideration, my delegation is pleased to learn of the progress made by various institutions in the field in their efforts to meet the objectives of the Convention.

My delegation welcomes the progress made by the Commission on the Limits of the Continental Shelf in considering the submissions of several coastal States. We also commend the initiative of the Division for Ocean Affairs and the Law of the Sea of convening a series of workshops in various regions to disseminate manuals and technical guidelines for delineation of the outer limits of the continental shelf of coastal States. The workshops made a valuable contribution, in particular by assisting developing countries to prepare their submissions and thus meet the time frame designated by the Commission.

We also attach great importance to the work of the International Seabed Authority. My delegation is pleased at the progress that has been achieved so far in the management of the resources of the seabed area beyond national jurisdiction. Its decision last August to provide modalities for the participation of experts from developing countries in research activities carried out in the Area by the pioneer investors is, indeed, consistent with the objectives of technology transfer and sharing the benefits of the ocean as the common heritage of mankind.

In addition to providing details relating to the new utilization of sea resources, the report also indicates persistent threats to commercial vessels. Acts of piracy and armed robbery at sea are still a major problem in many parts of the world. The situation presents a challenge to the international community, which must find effective means to combat that menace. Some analysts have gone further by linking terrorists and sea robbers, arguing that they could join forces and together wreak havoc in vital straits used for international navigation.

My delegation is fully aware that the safety of navigation in such straits is a key and vital element in promoting foreign trade. We are also fully aware of concerns about the seriousness of threats to maritime security brought to light by reports relating to terrorist networks and individual terrorists linked to Al-Qaida. Terrorists and sea robbers should be taken seriously as a matter of security. However, my delegation is of the view that we should not take an alarmist approach, as that would inadvertently encourage the terrorists.

While acknowledging the important war against terrorist acts in all their forms and manifestations, we should not lose sight of the importance of upholding the rule of law in conformity with international law. Only by means of concerted multilateral efforts can States effectively combat terrorism. As a result, the international community should respect the primary responsibility and sovereign right of littoral States in their efforts to ensure the safety of navigation and maritime security in the area.

In that connection, Indonesia, together with Malaysia and Singapore, has intensified its cooperation through the Tripartite Technical Expert Group on the safety of navigation. Our most recent meeting, which took place in Batam, Indonesia, in August, produced an understanding whereby we recognized the importance of and welcomed closer collaboration with the international community.

In the context of their collaboration with the International Maritime Organization (IMO), the three countries further engaged in broader consultation and dialogue with other interested States and major shipping industry actors at a meeting in Jakarta on 7 September 2005. The conclusions of that meeting are contained in document A/60/529, and my delegation is pleased to share them with members. In the context of strengthening the safety of navigation and maritime

security in the area, we further commend the assistance of the IMO in facilitating the Marine Electronic Highway project for the Straits of Malacca and Singapore.

In view of the importance of fisheries for our economy, Indonesia welcomes the fact that the review conference of the 1995 Fish Stocks Agreement will be held next year. In connection with that review, the related draft resolution invites all States to participate on an equal footing in a preparatory meeting to be held early next year.

The Agreement provides a framework for the conservation and management of fish stocks in the high seas. To that end, it obliges States to practise caution when managing fish stocks and their ecosystems, as well as to minimize activities that are harmful to the oceans. However, noting the lack of State participation in the Agreement, my delegation is of the view that the review should be directed at identifying the impediments to States' accession to it.

We believe that strengthening international fisheries governance by filling existing gaps in the Agreement should not be conducted in such a way as to discourage States from joining the Agreement. It would be helpful to reflect on paragraph 12 of the Secretary-General's report (*A/60/189*), which indicates that article 21 of the Agreement has never been applied sensu stricto. We look forward to a discussion on the matter next year.

Indonesia is fully aware of the importance of continued efforts by the international community to find a constructive approach to addressing various issues relating to ocean affairs and the law of the sea. It is therefore a distinct pleasure for my delegation to co-sponsor draft resolution A/60/L.22 on oceans and the law of the sea.

Before concluding, my delegation wishes to express its appreciation to coordinators Mr. Marcos Almeida of Brazil and Ms. Holly Koehler of the United States, as well as to the countries that contributed to the consultations in a spirit of cooperation. It is our sincere hope that all Member States will support the draft resolution.

Ms. Ridgeway (Canada): Canada is pleased to offer its perspectives on the challenges relating to this important agenda item.

The commitments manifested in the action-oriented draft resolutions on sustainable fisheries and on the law of the sea, which Canada is pleased to co-sponsor, come at a critical and complex time for fisheries and for the law of the sea. The need for concrete, concerted and coherent actions that live up to our commitments relating to the conservation and sustainable use of oceans and their resources has never been so pressing.

(*spoke in French*)

Canada, which has coastline on three oceans — the longest coastline in the world — has a significant stake in ensuring success. Our history and trade are inextricably linked with the sea. Our oceans and their resources provide a foundation for our coastal communities and play a key role in our identity as Canadians.

Current statistics on the state of the world's fisheries and various reports setting out the threats to oceans resources and biodiversity are well known. The increased vulnerability of the oceans and their resources is a reality that has mobilized attention from various perspectives — citizens, communities, those who rely on such resources for their livelihoods, international organizations, academia and civil society.

(*spoke in English*)

We have committed ourselves to addressing those risks, including at the World Summit on Sustainable Development. However, many of those commitments remain elusive owing to lack of capacity and tools, and even lack of agreement on future steps, which could appear as lack of international resolve to move forward decisively.

Indeed, the very complexity of legal and other instruments, management measures and forums dealing with oceans issues makes it difficult to find coherent, cooperative and practical approaches that can garner both domestic and international consensus.

An integrated, transparent, adaptive and enforceable regulatory framework is essential for fisheries and oceans sustainability and that of its industries. The challenge is whether we can pull together the threads of fisheries and oceans conservation issues and create an agenda that converges and plays to strengths coherently, rather than one that diverges and fragments.

We will have an unprecedented opportunity for united action for improvement if the international community can unite its strengths.

Let us take the case of fisheries.

(*spoke in French*)

This year has marked an important turning point in the momentum for change. We must capture that momentum and build upon it. Millions of people worldwide depend on fisheries for work and millions more depend on them for food. But overfishing is taking a socio-economic and environmental toll.

Combating overfishing is a top priority for Canada and for our Prime Minister, who has spoken about the issue repeatedly at international conferences and bilateral meetings. But there can be no success in that challenge without international cooperation. Canada is ready to play its role to help find solutions.

(*spoke in English*)

The international community has developed a series of both legally binding and voluntary tools dealing with fisheries and oceans management. The United Nations Fish Stocks Agreement, in particular, needs many more States parties in order to become the universal instrument that it is intended to be.

The world now needs to move from words to action so as better to use such instruments by fully implementing their obligations. Canada looks forward to the 2006 review conference of the United Nations Fish Stocks Agreement, which will examine the progress made so far and point the way towards even more effective implementation.

There has been an encouraging convergence of views and momentum aimed at ensuring that overfishing and illegal fishing are not tolerated, either domestically or on the high seas, and at ensuring that regional cooperation to manage high seas fisheries is a strong part of the broader oceans governance agenda.

Several events should be highlighted. The United Nations Food and Agriculture Organization's March 2005 Rome Ministerial Declaration on illegal, unreported and unregulated (IUU) fishing provides a global commitment to action. The Conference on the Governance of High Seas Fisheries and the United Nations Fish Stocks Agreement, hosted by Canada in May 2005, and the resulting St. John's Declaration signed by 19 Ministers or their designates constitute an important political commitment to international cooperation in the reform of fisheries governance. The second Asia Pacific Economic Cooperation Oceans-Related Ministerial Meeting in Bali, the Joint Ministerial Statement and the Bali Plan of Action set out a broad regional oceans strategy, including specific priorities for action to address the threats of IUU fishing. The continuing work of the ministerial High Seas Task Force on IUU Fishing, joined by Canada, the United Kingdom, Australia, New Zealand, Chile and Namibia, will soon recommend practical ways of addressing IUU fishing for which we will seek a broader coalition of support to take that approach forward and make it a global reality.

(*spoke in French*)

But action to prevent overfishing, including the hard choices that will make those commitments real, starts at home. A coalition of support for national, regional and global change is needed. That coalition must also ensure that domestic overdependence and overcapacity do not create unreasonable pressures that threaten international cooperation.

Domestically, Canada is building a strategy to improve international cooperation in the fight on high seas overfishing. The strategy is built on vigilant monitoring and surveillance to increase compliance on the high seas, a diplomatic and advocacy strategy to create the conditions for change, and commitment and capacity to work internationally for improved international fisheries and oceans governance.

(*spoke in English*)

In that effort, it is critical to develop country capacity for fisheries and oceans management. Canada has announced a contribution of 500,000 Canadian dollars under Part VII of the United Nations Fish Stocks Agreement to help in that respect.

But the challenge for fisheries governance is not just to fix the problems of fishery but to ensure that it becomes a reliable part of the foundation for integrated protection, use and governance of oceans more broadly.

Canada's commitment to modern oceans management is reflected in our Oceans Action Plan released in May 2005. Its basis is integrated oceans planning, founded on an ecosystem approach to management. Large Oceans Management Areas provide the integrating framework, and that will include fisheries management renewal.

(*spoke in French*)

The Plan also recognizes that some marine environments and the resources they hold need special protection and management. Many instruments are available to provide special protection, including marine protected areas. Canada has announced a strategy for a federal network of marine protected areas in all three of our oceans. Last month, Canada designated three new marine protected areas, bringing the total to five. Those areas protect diverse sensitive areas and elements that range from the Endeavour hydrothermal vents off our Pacific coast to a unique strain of Irish moss and its habitat, Basin Head, in the Atlantic.

The lessons we and other participants have learned from those domestic efforts help us understand the challenges of the World Summit on Sustainable Development commitment to establish an international network of marine protected areas. For its part, Canada will soon host a workshop of international experts to discuss criteria in use to define ecologically and biologically significant areas, which we hope will be useful to the ongoing international debate.

(*spoke in English*)

We are looking forward to a successful meeting of the Ad Hoc Open-ended Informal Working Group on biodiversity beyond areas of national jurisdiction, which we hope will improve our collective knowledge on the issue of high seas biodiversity. The management of the agenda, in all its facets, is a challenge for States, international organizations and other participants. We need a constructive debate that will help define the options we face in protecting high seas biodiversity.

The implementation of an ecosystem approach to management is a complex task. In fact, it is a challenging concept for both developed and developing countries. Canada will be pleased to offer its perspective and experience with States and others at the 2006 meeting of the United Nations Open-ended Informal Consultative Process on Oceans and the Law of the Sea, which will address ecosystem approaches and oceans.

Canada values that inclusive informal process, which engages open discussions on such issues, and we are pleased to see it continue. It helps us to understand possible joint solutions and the current discussion and to identify in which areas additional understanding and mechanisms are needed. That complicated topic requires a well-managed debate and a clear delineation of the steps that will help us understand how to make ecosystem approaches a reality.

(*spoke in French*)

The themes in the draft resolutions reflect a collective, multidimensional and multidisciplinary agenda that must value balanced and reasoned approaches.

(*spoke in English*)

Canada's vision includes a strong understanding of fisheries and oceans, modernized and credible domestic and international fisheries governance, a linking-up of the domestic and international oceans agenda to all key players and mechanisms and the understanding that all involved will take up their roles with determination. Many of the mechanisms are nothing more than the sum of the political will and the capacities of States players. Canada is committed to helping in that endeavour.

Mr. Ngunjiri (Kenya): At the outset, I express my delegation's appreciation to the Secretary-General for the comprehensive reports on this item, which contain developments relating to implementation of the United Nations Convention on the Law of the Sea (UNCLOS). Those documents provide a solid basis for today's discussion.

My statement will focus on three issues that are of major concern to Kenya — namely, capacity building, marine safety and security, and the marine environment.

The lack of adequate capacity in many developing countries is a serious impediment to the implementation of the Convention and its related agreements. The Convention acknowledges this problem and emphasizes the need to build capacity and provide technical assistance to developing countries, especially in areas such as marine scientific research, transfer of technology, activities in the Area and preservation of the marine environment.

My delegation notes with gratitude that the Division for Ocean Affairs and the Law of the Sea has continued to play a lead role in capacity-building initiatives targeting developing countries. These initiatives have contributed and continue to contribute significantly to the ability of developing States to meet their obligations under the Convention through enhancement of knowledge and skills in ocean affairs and the law of the sea. I refer specifically to the United Nations Institute for Training and Research (UNITAR) briefings on development in ocean affairs and the law of the sea; the Hamilton Shirley Amerasinghe

Memorial Fellowship Programme; the TRAIN-SEA-COAST programme; and the Nippon Foundation supported programme, for which we are grateful to the Foundation.

The series of training courses aimed at promoting compliance with article 76 of the Convention have been particularly useful to developing States, which lack the capacity to undertake the complex delineation exercise envisaged under article 76. Experts from my country participated in the course for the Indian Ocean region, held in Sri Lanka from 16 to 20 May 2005. The course, together with the comprehensive manual developed by the Division on preparation of submissions to the Commission on the Limits of the Continental Shelf, has helped our experts to obtain a better understanding of the full procedures for the preparation of submissions. This will no doubt help speed up the preparation of our submissions.

We urge that these initiatives be sustained through, inter alia, increased voluntary contributions to the trust funds established under the Convention. In particular, we call for further strengthening of regional and subregional scientific research capacities in developing countries.

Maritime security and crimes at sea are an important element in the management of our oceans. My delegation notes with concern the frequent occurrence of incidents of piracy and armed robbery at sea, as reported in paragraph 95 of the report of the Secretary-General (*A/60/63*). This is an indication that the measures currently in place are far from adequate. We recognize the ongoing efforts by the International Maritime Organization to coordinate international efforts to eradicate these crimes. However, we urge that more focus be given to high-risk regions, especially in areas where national Governments lack the capacity to effectively patrol and provide security in their territorial waters. The Eastern African coast, for instance, has in the recent past experienced a series of armed attacks, particularly in the waters adjacent to Somalia. This year alone, it has been reported that about 23 hijackings and attempted seizures have been recorded off the Somali coast, including two ships carrying aid for the United Nations World Food Programme. A number of ships destined for my country have also been targets of attacks in the last few months. These attacks have had very grave ramifications on our tourism industry and other economic activities, since some ships that were originally destined for the port of Mombasa have opted to divert to other destinations for fear of attacks.

Developing coastal States need support in enhancing their control measures in order to effectively combat the use of maritime transport by illicit traffickers of narcotic drugs and psychotropic substances. We, therefore, welcome the recent initiative by the United Nations Office on Drugs and Crime to support States' control measures in developing countries, through the provision of equipment and training to target illicit trafficking via maritime freight containers. We hope that the pilot programme in Ecuador and Senegal will be replicated in other coastal developing States.

My delegation attaches great significance to the marine environment and supports the implementation of Part XII of the Convention, which deals with the protection and preservation of the marine environment and resources from pollution and physical degradation. Within our coastal and marine areas, we have established national marine parks and reserves in order to enhance protection and conservation of the diverse and highly productive ecosystems therein. We have recently amended our Merchants' Shipping Act, with a view to reducing marine pollution from marine transport activities and dumping. Kenya is also actively involved in the Eastern Africa Regional Seas Programme and the Global Programme of Action for the Protection of the Marine Environment from Land-Based Activities, and is the coordinator of the New Partnership for Africa's Development coastal and marine thematic area.

Three years ago, the World Summit on Sustainable Development agreed to establish a regular process under the United Nations for global reporting and assessment of the state of the marine environment. My delegation notes with satisfaction the progress that has been made towards this end and welcomes the conclusions of the second international workshop on the regular process for global reporting and assessment of the state of the marine environment. We endorse the launch of the start-up phase of the "assessment of assessments" as a preparatory stage towards the establishment of the regular process. We also endorse the establishment of an organizational structure that includes an ad hoc steering group to oversee the "assessment of assessments". We urge that the membership of the ad hoc steering group should take into account the need for balanced geographical representation.

Fishery resources contribute greatly to food security, poverty alleviation and the economic well-being of many countries. My delegation reiterates its previous call for enhanced international cooperation in ensuring sustainable exploitation of these resources through enforcement of measures to prevent destructive fishing practices.

However, we see the urgent need for capacity-building, including the transfer of marine technology, to assist developing countries to meet their obligations and exercise their rights under international instruments, in order to realize tangible benefits from fisheries resources. In this regard, my delegation notes with satisfaction that the Assistance Fund under Part VII of the Agreement has began to operate and to consider applications for assistance from developing States parties. We urge States and international financial institutions that are in a position to do so to make voluntary contributions to the fund.

My delegation also appreciates the work of the Food and Agriculture Organization, particularly for developing guidance on the strategies and measures required for the creation of an enabling environment for small-scale fisheries. No doubt many developing countries, including my own, will find the document useful in developing our fishing industries in a manner consistent with the relevant international instruments.

In conclusion, I wish to emphasize my country's commitment to the United Nations Convention on the Law of the Sea, which sets out the legal framework within which all activities in the oceans and seas must be carried out. We believe that the Convention continues to contribute significantly to the strengthening of peace, security, cooperation and friendly relations among nations and the economic and social advancement of all peoples of the world.

Ms. Monteiro (Palau): Palau aligns itself with the statement made by Papua New Guinea at the 54th meeting on behalf of the Pacific Islands Forum.

Palau would like to offer its congratulations to all who worked so hard to negotiate the draft resolutions before us today. We are pleased to support both draft resolutions and to be a sponsor of draft resolution A/60/L.23, on sustainable fisheries.

The vitally rich biodiversity of the sea bottom is the common heritage of all people and must be protected by all Member States. Last year, delegations pledged to undertake a review of destructive fishing practices, including bottom trawling, and to take urgent action where regulations are inadequate.

During the negotiations this year, Palau called for an interim prohibition on unregulated bottom trawling, as there is currently no effective mechanism for ensuring the sustainability of marine living resources in the high seas. In making this proposal it was our hope to continue the dialogue on combating destructive fishing practices. While an interim ban was not agreed to, we were pleased to see the insertion of language calling for a strengthened and more definite review process. This will ensure that meaningful examination and appropriate precautionary action can be taken over the next year.

Odious fishing practices are of particular concern to the small island States of the Pacific Ocean. As Palau's President Remengesau recently stated,

> "For Palau, the environment is our economic future. We have no higher issue on our agenda than the preservation of our natural resources. Because of this, we recognize that a delicate balance must be struck between growth and conservation".

At the Pacific Islands Forum leaders meeting held this October in Papua New Guinea, our leaders agreed that the damage from bottom trawling is of serious concern and renewed their determination to develop an appropriate framework for addressing the issue over the next year.

The sustainable fisheries draft resolution stands as an undertaking by the international community to review the impact of fishing activity on marine bed ecosystems. The critical factor now is to ensure that the review process is thorough and prepares us well for next year's negotiations. We take this opportunity to commend the Division for Ocean Affairs and the Law of the Sea for undertaking this important review and trust it will be comprehensive. However, Palau must note with concern that, while we wait for this review to take place, precious marine life and seamounts continue to be vulnerable to destructive fishing practices.

Like the other sponsors of the draft resolution, as well as those delegations participating in its negotiation, we are looking forward to the upcoming session of the United Nations Open-ended Informal

Consultative Process on Oceans and the Law of the Sea and to it fulfilling its ambitious agenda. We also invite the States parties to respond in a detailed manner to the request from the Division for Ocean Affairs for information so that its stand-alone report on destructive fishing practices can be as useful and comprehensive as possible.

Palau will continue to raise the issue of a prohibition on deep sea bottom trawling at all international forums until the legal infrastructure is in place to deal with that destructive practice. We look forward to working constructively with the international community to address this urgent issue and to meet our shared promise to achieve sustainability in the oceans.

Mr. Kryzhanivsky (Ukraine): My delegation aligns itself with the statement delivered by the United Kingdom on behalf of the European Union. Allow me to draw your attention to additional issues that are important to my country.

Ukraine is firmly committed to the United Nations Convention on the Law of the Sea, which represents a significant achievement by the international community and is important testimony to United Nations efforts to codify and develop the international law of the sea. This Convention is not only a charter within which all activities related to oceans and seas should be carried out; it is also a basis for a comprehensive system of economic and political cooperation in marine-related matters.

My country had attached great importance to fisheries issues even before Ukraine became a party to the Fish Stocks Agreement. Ukrainian legislation on fisheries was developed on the basis of provisions and principles of the Agreement. After the Verkhovna Rada — the parliament of Ukraine — passed the Law on Accession to the 1995 Agreement, additional practical steps to implement the provisions of the Fish Stocks Agreement are now being taken. These include, in particular, the adoption of a number of normative legal documents designed to enhance the role of the State in conducting ocean fishing and increasing the responsibility of vessel owners.

Over-exploitation of living marine resources through excessive fishing continues to be of grave concern to the international community. As a geographically disadvantaged country bordering a sea which is poor in living resources and suffering from the depletion of fish stocks from its exclusive economic zone, Ukraine places special emphasis on the problem of illegal, unregulated and unreported fishing.

We strongly believe that all States should apply effective measures for the conservation, management and exploitation of fish stocks in order to protect living marine resources and preserve the marine environment. Better international cooperation in this sphere is needed, and the crucial role here belongs to the relevant regional organizations. It is important that regional fisheries enhance their cooperation with a larger number of States, in particular with high-seas fishing States and geographically disadvantaged States.

The international legal framework within which commercial vessels flying Ukraine's flag can fish on the high seas consists of the 1982 United Nations Convention on the Law of the Sea, the Fish Stocks Agreement and the 1980 Convention on the Conservation of Antarctic Marine Living Resources. In addition, our State participates in the International Commission for the Northwest Atlantic Fisheries and in the Northwest Atlantic Fisheries Organization.

After joining the Food and Agriculture Organization (FAO), Ukraine affirmed its adherence to modern standards of sea fishing by accepting a long list of voluntary obligations, including codes and action plans elaborated by FAO to ensure the sustainable use of marine resources.

In 2002 Ukraine adopted a law on its national programme "On the building of fishing vessels", for 2002-2010. The year 2003 saw the adoption of the national programme for the development of the fishing industry in Ukraine up to 2010. The national bill on fishing has been elaborated and is now being considered by the Parliament of Ukraine.

Subordinate legislation regulating fishing on the high seas under the Ukrainian flag is currently being developed. Such legislation is aimed at regulating the activities of the Ukrainian fishing fleet and includes a list of commitments and priority actions for users.

Ukrainian delegations participate in the work of the various bodies of the Northwest Atlantic Fisheries Organization and of the North East Atlantic Fisheries Commission, advocating the obligatory presence of scientific observers on all marine vessels and in all fields of commercial fishing in the spheres of activity of those organizations. The State Department of

Fisheries has recently undertaken voluntary commitments relating to numerous standards for the exploitation and preservation of marine living resources. Those commitments include the Code of Conduct for Responsible Fisheries; the international plan of action for reducing incidental catch of seabirds in longline fisheries; the international plan of action for the conservation and management of sharks; and the international plan of action to prevent, deter and eliminate illegal, unreported and unregulated fishing.

With respect to the problem of stock management and fishing, we would like to emphasize the need to introduce stricter measures to limit the level of exploitation of most stocks. At present there is no universal approach to determining biological criteria for an admissible level of stock exploitation.

We would emphasize the need to ensure effective coordination and cooperation in the process of integrated ocean management so as to promote sustainable fisheries, enhance maritime safety and protect the marine environment from pollution.

The institutions established within the framework of the Convention are essential components of the global regime that provides for the rule of law and the maintenance of peace and security in the oceans.

We note with satisfaction the effective functioning of the International Seabed Authority. It is important that the Authority, while examining the reports submitted by contractors, continue the elaboration of rules, regulations and procedures to ensure the effective protection of the marine environment and the conservation of the natural resources of the Area.

We would underline once again the crucial role played by the International Tribunal for the Law of the Sea in the process of the interpretation and implementation of the 1982 Convention and the Agreement. Since the Tribunal handed down its first judgement, it has considered 11 cases, and we hope that it will register new achievements in future.

In concluding my statement, I would like to convey Ukraine's appreciation to the Secretary-General for both the quality and scope of the report, which itself is a powerful tool for facilitating international cooperation and coordination. The activities of the Division for Ocean Affairs and the Law of the Sea continue to be intensive and commendable.

Mr. Dhakal (Nepal): The United Nations Convention on the Law of the Sea (UNCLOS) is considered a "constitution of the sea" that is expected to make significant contributions to maintaining international peace, security and order by governing ocean affairs, and thus to socio-economic development in the world. The Convention reflects the significant progress achieved in the codification and progressive development of international law relating to the sea. It provides a comprehensive international legal framework for cooperation among Member States towards the management of oceans for the benefit of all humankind.

Nepal attaches importance to the work of the United Nations with regard to the implementation of the United Nations Convention on the Law of the Sea and other international instruments related to oceans and the seas. My delegation joins previous speakers in thanking the Secretary-General for having submitted comprehensive reports for our consideration under the agenda item concerning oceans and the law of the sea.

My delegation has taken note of the reference made in paragraph 15 of the Secretary-General's report (A/60/63) concerning access to and from the sea by landlocked developing countries and freedom of transit.

The reports draw our attention to important issues facing the United Nations, including the increasing adverse impact on marine ecosystems and the depletion of fish stocks resulting from illegal, unreported and unregulated fishing in the seas beyond areas of national jurisdiction. We urge the international community to take the necessary measures for the sustainable use of oceans and for the conservation and management of the biodiversity of the international seabed as the common heritage of humankind.

My delegation is concerned that the growing deterioration of the marine environment and the overexploitation of living marine resources could have a negative effect on global efforts to prevent the degradation of the environment and to ensure sustainable development, including with regard to geographical diversity and mountain ecosystems. In view of the biotechnological potential and vulnerability of living marine resources, we underline the need for efforts to ensure marine biodiversity and to prevent, reduce and eliminate pollution of the marine environment from ships and land-based activities.

We also encourage the International Seabed Authority to undertake the necessary measures with regard to the protection of the flora and fauna of the seabed, as provided for in article 145 of the Convention on the Law of the Sea. There is also a need to regulate the prospecting for and exploration of polymetallic sulphides and cobalt-rich crusts.

Despite our accomplishments over the years in terms of the institutionalization of international cooperation in the field of the law of the sea, the United Nations still faces great challenges in the effective implementation the Convention at the global, regional and national levels in order to realize its various provisions. Small developing landlocked and least developed countries in particular have faced disadvantages due to lack of awareness, limited capacity and geographical handicaps, impeding their optimal realization of the benefits from the world's oceans and seas.

It is encouraging to note that article 125 of UNCLOS provides for the right of access of landlocked countries to and from the sea and freedom of transit through the territories of transit countries by all means of transport. The 2005 world summit unequivocally recognized the special difficulties and concerns of landlocked developing countries in their efforts to integrate their economies into the multilateral trading system.

My delegation welcomes the recommendation of the Secretary-General that the international community provide financial and technical support for the full, timely and effective implementation of the São Paulo Consensus, adopted by the eleventh session of the United Nations Conference on Trade and Development (UNCTAD), held last year, and the Almaty Ministerial Declaration and Almaty Programme of Action, which take into account the special needs and vulnerabilities of landlocked developing countries, particularly the least developed ones.

We underline the need for measures to further strengthen cooperative and collaborative efforts to address transit transport issues, among others, to improve the physical infrastructure and non-physical aspects of transit transport systems, and to develop joint ventures and strengthen institutions and human resources.

It is high time for all of us to rededicate our continued coordinated and effective efforts to achieving the noble goals of UNCLOS and of other commitments to ensure equity, justice and progress for all humankind.

Mr. Choudhury (Bangladesh): May I just say how good it is to see you, Mr. Vice-President, in the Chair. We also thank the Secretary-General for his reports under this item.

Some 140 million people live in Bangladesh, on a territory of a mere 147,570 square kilometres. Resources are scarce. It is not easy to provide that vast population with a decent standard of living, to which we all aspire. Therefore, as a coastal country with seafaring traditions, we look to the sea for further resources. From that perspective, Bangladesh attaches particular importance to the United Nations Convention on the Law of the Sea, to which it became a party in 2001, as the legal framework for the peaceful use of sea resources. It is heartening that the Convention is fast approaching its universalization, with 148 States parties. My country is committed to full implementation of the Convention.

The achievements of our generation are many. We have split the atom. We have conquered Mount Everest. We have left our footprint on the moon. However, there exists a breathtaking gap in our scientific knowledge of the resources of sea. The seabed covers some 71 per cent of world's surface. An amazing variety of living organisms are present in the sea, which has become one of the major sources of food for our peoples. Aside from the traditional non-living resources of the sea, such as oil and gas, it is estimated that the seabed contains close to 300 minerals, many of which may eventually prove worthy of exploration and exploitation for the benefit of mankind. The Convention should provide us with the necessary guidance in our common endeavours in that direction.

The authors of the Convention, which is often referred to as the constitution of the sea, envisioned it as, among other things, an instrument for ensuring the equitable sharing of the living and non-living resources of the sea. It brought a modicum of order to a system fraught with potential conflict. Its scope of application is vast. It covers all uses of ocean space, including navigation and overflight. It sets up rules for all uses of all living and non-living resources on the high seas, on the ocean floor and beneath it, on the continental shelf and in the territorial seas. It provides guidance to

protect the marine environment by ensuring the sustainable use of marine resources, and it contains provisions for dealing with crimes committed at sea.

Oceans are of enormous value to the world's population. They provide us with food, water, raw materials and energy. The combined value of ocean resources such as fish and minerals, including oil and gas, and ocean uses such as the recreation industry, transportation and communications, is currently estimated at approximately $7 trillion per year. However, there exists a wide disparity between developed and developing countries in the share of benefits received from that vast wealth. We believe that enjoyment of marine resources must be conducted in a way that promotes and protects the interests of all. Such an approach would give true meaning to the expression "the common heritage of mankind" established by the Convention. We welcome the establishment of reserved areas under the authority of the International Seabed Authority in that regard. We also call for expedited establishment of the Enterprise.

Enhanced marine scientific research is critical for sustainable exploration and exploitation of marine resources. We are disappointed that the participation of marine scientists from developing countries in marine scientific research has progressively become marginal. That has effectively reduced the possibility of the participation of developing countries in marine resources exploration and exploitation. That trend must be reversed. Expanding the knowledge base of scientists from developing countries is critical for their full enjoyment of the rights set out in the Convention.

Bangladesh, a developing country, could also benefit from technical cooperation with other States parties, developed and developing, and relevant institutions in the fields of capacity-building, technology transfer and the development of expertise in the areas covered by the Convention. Such cooperation might include training facilities and joint surveys. Training on legal issues and on the preparation of national submissions regarding the delineation of the continental shelf would be of immense benefit in building our national capacity. Joint surveys for coastal and seabed mapping, as well as a survey of the resources, would also be useful. We appreciate efforts of the Division for Ocean Affairs and the Law of the Sea in that regard. Bangladesh calls for strengthening and expanding the Division's programmes in the area of human resource development.

More than half the world's population now lives within 100 kilometres of the coast. The prospect of increased economic activity at the sea's edge will inevitably result in the increased movement of people to coastal areas. According to one estimate, up to three fourths of the world's population will live in coastal areas by 2025. Such a large-scale movement of populations to coastal areas, coupled with a significant increase in economic activity and industrialization along the coastline — including oil and gas exploration, mining, fish farming, tourism and the development of ports — would put enormous pressure on coastal areas. We ought to be prepared for the consequences, including the environmental consequences, of such a large-scale relocation of human and economic activities surrounding the sea.

The offshore areas of Bangladesh, including its exclusive economic zone, have enormous riches in terms of biodiversity and energy potential. That natural treasure house is now under the increasing threat of pollution caused both by land-based activities and by ocean-going vessels. Bangladesh would be particularly vulnerable to the devastating effects of a major oil spill. A single such incident could bring enormous suffering to the lives and livelihood of people in the coastal belt.

In that context, Bangladesh attaches the utmost importance to an ecosystem-based approach in the exploration and the exploitation of all mineral and living and non-living resources. Such an approach should preserve biodiversity and not cause harm to the marine environment. We must strike a balance between marine resources exploitation and the conservation of the marine environment. The pollution of the marine environment through our land-based activities such as the dumping of waste, as well as unregulated shipping activities, has become a concern for all. Illegal, unreported and unregulated fishing in areas within and outside national jurisdictions has become cause for great concern. We must act now to apply the provisions of the Convention in that regard if we are to preserve the sea as a repository of resources.

We are also concerned by the continuing problem of crimes committed on the sea. Transnational crimes, including piracy and armed robbery, are threatening marine safety and security. Their effect on the international sea trade, which moves approximately 90 per cent of goods, has proven colossal.

We value the work of the three bodies created by the Convention: the International Tribunal for the Law of the Sea, the International Seabed Authority and the Commission on the Limits of the Continental Shelf. As a State party, Bangladesh is committed to actively and constructively engaging in their activities. We hope to work with other States parties to realize our shared vision of the sustainable use of sea resources for the common welfare of mankind. In the process, we also aspire to reap our due share of benefits for the people of Bangladesh.

We believe that the full, equitable and judicious implementation of the United Nations Convention on the Law of the Sea would advance our common endeavours for a substantial improvement of the living standards of our peoples. I am sure that if we can achieve that, it will be one of the greatest contributions towards building a prosperous world for our generation and for unborn generations. The route ahead of us might be long and arduous, but we are determined to sail through the rough seas, for we all know that reaching port will be worth our while.

Mr. Nguyen Duy Chien (Viet Nam): First of all, we join other speakers in thanking the Secretary-General for a set of comprehensive reports, namely documents A/60/63 and its two addenda, A/60/91, A/60/99 and A/60/189, on developments and issues relating to oceans and the law of the sea and to fisheries during the past year.

Since last year, the number of States parties to the United Nations Convention on the Law of the Sea (UNCLOS) has risen from 145 to 149. Our delegation warmly congratulates new UNCLOS States parties and believes that the current trend of broadening the membership of the Convention will continue. The Secretary-General's report to the General Assembly on oceans and the law of the sea was also presented, for the first time, to the fifteenth Meeting of States parties under article 319 of the Convention. We welcome that new development.

We also note with satisfaction the great work done by the International Seabed Authority (ISA), the Commission on the Limits of the Continental Shelf and the International Tribunal for the Law of the Sea. Over the last six years, the Open-ended Informal Consultative Process has made valuable contributions to the General Assembly's annual deliberations on ocean affairs and the law of the sea. We therefore support the renewal of the mandate of the Informal Consultative Process for the next three years. Last year, the General Assembly also decided, in paragraph 73 of its resolution 59/24, to establish an ad hoc open-ended informal working group to study issues relating to the conservation and sustainable use of marine biological diversity beyond areas of national jurisdiction. We look forward to the upcoming discussions within the working group.

We wish to take this opportunity to highlight recent activities undertaken by Viet Nam in the field of oceans and the law of the sea. At the national level, we continue our efforts to improve the legal framework regulating marine issues. In June 2005, the National Assembly of Viet Nam adopted the Maritime Code, which is in full conformity with the provisions of UNCLOS and other ocean-related international instruments to which Viet Nam is a party. At present, the preparation of a law on Viet Nam's sea zones is also under way.

At the regional level, we actively participated in negotiating and adopting the Tokyo Regional Cooperation Agreement on Combating Piracy and Armed Robbery against Ships in Asia as well as in other activities within the framework of the Association of Southeast Asian Nations (ASEAN).

Regarding the South China Sea — the Bien Dong Sea — the Thirty-eighth ASEAN Ministerial Meeting, held in Vientiane last July, continued to reaffirm the importance of the Declaration on the Conduct of Parties in the South China Sea — the Bien Dong Sea — as an important step towards a regional code of conduct in the South China Sea. Viet Nam is committed to respect and implement its provisions and calls upon other signatories to fully implement it, to continue to undertake confidence-building measures for the maintenance of peace and stability in the region and to commit themselves to resolving the dispute in the South China Sea through peaceful means in accordance with international conventions, including UNCLOS.

At the international level, Viet Nam continues to attach great importance to the discussion of developments and issues relating to oceans and the law of the sea. We participated in the fifteenth Meeting of States parties, the eleventh session of the International Seabed Authority and other relevant and important meetings.

It is Viet Nam's view that in implementing relevant provisions of UNCLOS and other international

conventions, developing countries encounter multiple difficulties due to the lack of technical, administrative and financial capacity. That reality requires continued efforts aimed at assisting developing countries to enhance capacity-building and human resources development, to get access to advanced information and technology and to share in expertise involving oceans exploitation. In that context, we welcome the valuable contributions made by all donors to various trust funds of which developing countries are beneficiaries.

We also appreciate efforts by the Division for Ocean Affairs and the Law of the Sea in organizing specific training courses and programmes for participants from developing countries such as the United Nations-Nippon Foundation Fellowship Programme and the first regional workshop, held in Fiji, relating to the issue of the delineation of the outer limits of the continental shelf beyond 200 nautical miles.

Mr. Wali (Nigeria): The United Nations Convention on the Law of the Sea, of 1982, remains a landmark legal instrument of the contemporary world and, indeed, of all human civilizations and ages. There is no gainsaying that our treatment of the high seas will have an impact on our shared goals for international peace and security and sustainable development. Indeed, the steadfast, efficient and effective application of the provisions of the Convention is central to the continued survival of all life on Earth. It is in the light of this that Nigeria, as a signatory to the Convention, welcomes the increase in its adherence to 149 States parties.

Nigeria wishes to express its gratitude to the Secretary-General for his comprehensive yet succinct reports A/60/63, A/60/63/Add.1, A/60/63/Add.2 and A/60/91. We also note with appreciation that the reports incorporate information on the helpful initiatives of the International Seabed Authority, the International Tribunal for the Law of the Sea and the Commission on the Limits of the Continental Shelf in fulfilment of their respective mandates under the Convention. We agree with the Secretary-General that, in spite of such efforts, our oceans and seas are still endangered by factors such as climate change, natural disasters, environmental degradation, depletion of fisheries, loss of biodiversity and ineffective flag-State control. There is, therefore, an urgent need for the enactment and rigorous implementation of concrete measures to address those challenges.

With regard to fisheries and related matters, which formed one of the cardinal topics examined at the sixth meeting of the United Nations Open-ended Informal Consultative Process, we agree with the Secretary-General that the fisheries sector can contribute to sustainable development only if it has itself been managed in a sustainable way.

Fisheries management should promote the maintenance of the quality, diversity and availability of fishery resources in sufficient quantities for present and future generations in the context of food security, poverty alleviation and sustainable development. It should also take account of the economic, social and cultural needs of fisheries-dependent communities, as well as the need of developing countries to maintain the revenues from trade that are necessary for their development.

The constraints placed on small-scale fisheries in many parts of the world are of critical concern to Nigeria. Those constraints — comprehensively and succinctly presented in paragraphs 216 to 221 of the Secretary-General's report contained in document A/60/63 — impoverish small-scale fisheries, reduce the contributions of fisheries to sustainable development and damage the environment and the health of local people. We therefore endorse the Secretary-General's call for relevant authorities to make explicit choices to take on board the needs of small-scale fisheries, particularly to facilitate or maximize food security and poverty alleviation.

With regard to factors limiting the contribution of fisheries to sustainable development, illegal, unreported and unregulated fishing and overfishing remain a primary challenge. Nigeria is concerned about the relentless practices and engagements on the high seas that tend towards over-exploitation, excessive fleet sizes, the re-flagging of ships to escape controls, excessive bycatch and the lack of enforcement of conservation measures, as well as unreliable databases and the lack of cooperation between States. Those problems result from that lack of cooperation among Member States to forge a universal legal regime for the conservation and management of fisheries. They have been further compounded by the inability of regional fisheries management organizations, particularly those in developing countries, to effectively monitor the fishing vessels of non-contracting parties because the relevant flag States are not parties to such organizations.

The regulations of the organizations are often violated with impunity, and their principal objective — to conserve and ensure sustainable use of the managed fisheries — is undermined. We enjoin States involved to rein in their fishing firms so that our shared responsibilities and duties under the Convention and the 1995 Agreement are not shirked.

Nigeria considers the forthcoming May 2006 review conference of the Fish Stocks Agreement to be of great importance for our efforts to manage fishery stocks. Indeed, that review should provide an opportunity for States to reaffirm their support for the abolition of policies and practices that have had, and continue to have, a negative impact on developing countries. We should not shy away from measures that would help to protect marine natural resources from pollution or illegal, unregulated and unreported fishing. I hasten to add that such measures should include those taken at national and regional levels with regard to waters under national jurisdiction, particularly those belonging to coastal developing countries.

Nigeria also welcomes the various initiatives and programmes directed at building and strengthening the capacities of developing countries, including contributions by the United Nations Institute for Training and Research (UNITAR), the Hamilton Shirley Amerasinghe Memorial Programme, the United Nations-Nippon Foundation fellowship programme, the TRAIN-SEA-COAST programme, trust funds and other technical assistance packages. Those programmes complement others undertaken in collaboration with the Food and Agriculture Organization of the United Nations, such as the United Kingdom-funded Sustainable Fisheries Livelihoods Programme, the Global Environment Facility of the United Nations Development Programme and the Commonwealth Secretariat.

In the same vein, we believe regional training courses — such as that relating to the preparation of submissions to the Commission on the Limits of the Continental Shelf on the outer limits of the continental shelf beyond 200 nautical miles from the baselines from which the breadth of the territorial sea is measured, which has been proposed for Accra early next month — reflect synergies that would redound to the interests of participants. We commend the Division for Ocean Affairs and the Law of the Sea, the Office of Legal Affairs, the Government of Ghana, the Commonwealth Secretariat, the African Union and the International Seabed Authority, which have jointly organized the course. There is a need to make such training programmes more sustained as part of the process.

I wish to assure the Assembly that, in those efforts, Nigeria will continue to work closely with Member States.

Mrs. Ramos Rodríguez (Cuba) (*spoke in Spanish*): We are very pleased that the United Nations Convention on the Law of the Sea remains fully in force today. We reaffirm its universal character and fundamental importance for the maintenance of international peace and security, as well as for the sustainable development of the oceans and seas.

My delegation places particular emphasis on the need to strengthen international cooperation among all the stakeholders involved in the management of the oceans and seas, including information-sharing and capacity-building — aspects of vital importance for developing countries.

Given its geography, my country is particularly interested in issues relating to the seas and oceans. Despite the serious economic difficulties that it faces, it continues to make great efforts in implementing its national strategies for sustainable development and the protection of the marine environment with a view to ensuring the coherent and effective application of the provisions of the Convention.

The United Nations Convention on the Law of the Sea establishes an appropriate and universally recognized legal framework within which all activities relating to the oceans and seas are carried out. It is for that reason that we call attention to the policies and initiatives of certain States that contravene the Convention, as in the case of the Proliferation Security Initiative. The practical implementation of that initiative would require us to ignore the generally accepted standards relating to the interception of vessels and to the legal regimes that apply in various maritime areas.

The President took the Chair.

Furthermore, we would like to point out that any commercially oriented activities concerning biological diversity in areas beyond national jurisdiction must be governed by the principles established by the Convention, which states that marine scientific research in the Area must be carried out exclusively for

peaceful purposes and for the benefit of all of humankind.

In that context, we await with interest the outcome of the Ad Hoc Open-ended Informal Working Group, which is scheduled to meet in February 2006 to study issues relating to the conservation and sustainable use of marine biodiversity beyond national jurisdiction. We believe that all issues relating to the mandate of that Group must be studied in detail, including those relating to the common heritage of humankind and the effective distribution of benefits in accordance with the principles of international law, including the Declaration of Principles Governing the Seabed and Ocean Floor, and the Subsoil Thereof, beyond the Limits of National Jurisdiction, as contained in General Assembly resolution 2749 (XXV), and the United Nations Convention on the Law of the Sea.

We cannot conclude without thanking the coordinators of the two draft resolutions before us today for their work.

Mrs. Picco (Monaco) (*spoke in French*): The Principality of Monaco has always been especially concerned about the protection of the seas and the oceans, as evinced by its involvement in the Mediterranean region.

As in the past, the quality of the many reports submitted for our consideration under the agenda item on oceans and the law of the sea attests to the exemplary work of the Division for Ocean Affairs and the Law of the Sea and the dedication of its staff. That work also reflects the central role played by the oceans and seas, including sustainable fisheries, in the future of our planet.

Among the various areas covered by the two draft resolutions that Monaco is co-sponsoring, I wish to highlight the following points.

Three years after the Johannesburg World Summit on Sustainable Development, the General Assembly is preparing to launch the initial phase of the regular process for global reporting and assessment of the state of the marine environment, including socio-economic aspects. The next two years, during which the "Assessment of Assessments" will take place, will be crucial to the establishment of the process.

The Principality of Monaco is very pleased that the United Nations Environment Programme (UNEP) and the Intergovernmental Oceanographic Commission of the United Nations Educational, Scientific and Cultural Organization were chosen as the lead organizations for the important "Assessment of Assessments" phase. We have confidence in that partnership. The research and summarizing work to be carried out is mainly scientific at this stage. The results to be submitted by the experts will serve as a basis for the policy decisions to be taken by our leaders. The conclusions to be submitted will be essential because they will constitute the basis of our future work in effectively implementing that indispensable process for ensuring the protection of the marine environment and enhancing the socio-economic aspects of the use of the oceans.

As the host country of the International Hydrographic Organization (IHO), the Principality of Monaco gladly welcomes the fact that 21 June of each year will be celebrated as the World Hydrography Day. The role of hydrography in the security of navigation, the preservation of human life at sea, and the protection of the environment, including vulnerable marine ecosystems, has too long been unknown by the public at large. Obtaining observer status in the General Assembly has allowed the IHO to develop its assistance in creating electronic maritime charts that contribute to the sustainable exploitation of fisheries, other uses of the marine environment, the delimitation of maritime borders, and environmental protection. Over and above the tribute it pays to the work of hydrographers, the annual event will allow us to promote a scientific field that has remained in the shadows for too long.

The alarming UNEP report on marine debris only heightens our concern over the ever-growing accumulation of non-biodegradable debris in the marine and coastal environments. Despite efforts to create a legal framework to protect seas and oceans, lacunae still exist both in the application and enforcement of international rules and norms, and in the understanding by the principal actors and the public of the problem. And yet, marine debris has disastrous consequences for the environment, the economy, security and health. Very few studies exist to permit an assessment of the scale of the phenomenon, and its effects can be difficult to evaluate, particularly because of the very nature of such debris, such as that known as phantom fishing.

Another subject of concern is the issue of noise pollution and its effects on marine biological

resources — a phenomenon that is new to many of us. While not yet the subject of international regulation, noise pollution in the marine environment is responsible for changes in behaviour and for injuries that could lead to the deaths of marine mammals and other species. The various appeals launched in 2004 — particularly by the International Whaling Commission, the European Parliament, and the parties to the Agreement on the Conservation of Small Cetaceans of the Baltic and North Seas and the Agreement on the Conservation of Cetaceans of the Black Sea, Mediterranean Sea and Contiguous Atlantic Area — should urgently prompt us to undertake more thorough studies and work that will allow us take the necessary measures at the regional and international levels.

2006 will see the convening of the review conference of the States parties to the 1995 Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks. The conference will allow us to assess the progress achieved with regard to illegal, unreported and unregulated fisheries; to the responsibility of flag States, especially for the genuine link; to tracing fish; to inventories of fishing vessels; and so on.

I will conclude my statement with a reference to a legal concept that needs to be strengthened: the precautionary principle. This year, we commemorate the tenth anniversary of the adoption of the Global Programme of Action for the Protection of the Marine Environment from Land-based Activities, and we must continue to strengthen the protection of the marine ecosystem. The precautionary principle and the ecosystem approach are fundamental to the conservation and management of fishing resources. In that respect, my delegation welcomes the adoption of the theme of "an ecosystem approach to oceans management" as the central element of the forthcoming meeting of the Open-ended Informal Consultative Process.

The President: I wish to inform members that, at the request of the sponsors of draft resolution A/60/L.26, action on the draft resolution is postponed to a later date, to be announced in the *Journal*.

Mr. Lobach (Russian Federation) (*spoke in Russian*): The discussion of maritime issues is traditionally accorded considerable importance by the General Assembly. The Russian Federation actively supports efforts aimed at the progressive development of maritime law and at improving multilateral cooperation machinery to strengthen international legal control of State activities on the high seas, the effective use and conservation of marine resources, the protection of the marine environment, and the conduct of scientific research.

I wish to note in particular the contribution of the Secretary-General in that sphere. His annual report on the law of the sea and sustainable fisheries contains much useful information and provides a good basis for a comprehensive assessment of the current situation and for defining future collective measures in that area.

The 1982 United Nations Convention on the Law of the Sea is an extremely important instrument for ensuring effective multilateral cooperation on the high seas. In the years since it came into force, that unique international agreement has fostered a qualitative improvement in the legal regime and strengthened multilateral coordination in maritime affairs. We note in particular the Convention's role in maintaining peace and security and in the use of the maritime space for peaceful ends. We call on States that have not yet done so to accede to the Convention in the near future.

The Russian Federation welcomes the outcome of the work of the international organizations established pursuant to the Convention, in particular the International Seabed Authority (ISA). Today, the ISA has important and wide-ranging issues on its agenda, the resolution of which will require persistent consideration and significant resources. In that respect, we continue to believe that it is not appropriate to task that body with more work in the sphere of protecting biological resources in the Area.

It is also a priority to ensure the uninterrupted functioning of the Commission on the Limits of the Continental Shelf, given the constantly increasing number of applications it is receiving. We urge the Commission to carry out its work in strict adherence to its mandates and procedures, which are set out in the relevant provisions of the 1982 Convention. In particular, we wish to emphasize the importance of broadening multilateral cooperation aimed at enhancing flag States' control over their vessels. We welcome the efforts of the International Maritime Organization to address that issue.

The draft resolutions at the sixtieth session of the General Assembly on the law of the sea and on sustainable fisheries, which we will be adopting at this meeting, contain many provisions concerning the important follow-up work to be carried out by States. Here, we should like to note in particular the meetings of the Ad Hoc Open-ended Informal Working Group on issues related to the conservation and sustainable use of marine biodiversity beyond areas of national jurisdiction. The fifth round of informal consultations of States parties to the 1995 United Nations Fish Stocks Agreement will be held in March 2006. That event will be a main forum for the preparation of the May 2006 review conference on the Agreement. We believe that, if it is to be successful, the conference must have the broadest possible participation. Therefore, we appeal once again to States that have not yet done so to accede to the 1995 Agreement as soon as possible.

With regard to the forthcoming annual meeting of States parties to the United Nations Convention on the Law of the Sea, we wish to stress the importance of keeping the current mandate of that forum, which is to resolve administrative and budgetary issues related to the functioning of the bodies established under the Convention.

The Russian Federation welcomes the fact that the Informal Consultative Process will continue its work for the next three years without changing its current mandate. Today, the Consultative Process is playing an important role by permitting a broader exchange of views on topical issues related to the law of the sea, with the participation of States, academics, experts and practitioners.

We consider appropriate the decision to initiate the regular global assessment of the state of the marine environment. That measure will enable us to identify existing gaps in specific areas of knowledge and to determine what measures must be taken to fill those gaps. We hope that international bodies such as the Intergovernmental Oceanographic Commission of UNESCO and the United Nations Environment Programme, which are the leaders in carrying out this process, will successfully accomplish the tasks given them.

In conclusion, I should like to express our support for both of the draft resolutions that we will be adopting at this General Assembly meeting. We thank the coordinators, Ms. Holly Koehler and Mr. Marcos Lourenço de Almeida, for their efforts in preparing those extremely important documents.

Ms. Rivero (Uruguay) (*spoke in Spanish*): At the outset, my delegation wishes to thank in particular the coordinators of draft resolutions A/60/L.22 and A/60/L.23, Mr. Marcos Lourenço de Almeida and Ms. Holly Koehler, for their active and efficient work. We also take this opportunity to express our gratitude to the Division for Ocean Affairs and the Law of the Sea for its tireless assistance, from which we benefited during the negotiations, and many other activities.

For Uruguay, ocean affairs are particularly important. As a developing country, we believe it is essential to ensure the sustainability of resources. Therefore, concerned at the persistent signs of deterioration of the marine environment, we recognize the need to take urgent conservation measures in vulnerable marine ecosystems, such as seamounts. However, such measures must be considered on a case-by-case basis, must be supported by reliable scientific information based on actual observations and must conform to the provisions of the United Nations Convention on the Law of the Sea (UNCLOS). In that connection, we believe it is crucial that ocean policies continue to be based on cooperation and coordination at all levels and on the use of interdisciplinary and comprehensive approaches.

We agree with those who believe that we must improve conventional methods of fisheries management. In order to do that, we must establish an integrated ecosystem-based fisheries and oceans management system. Therefore and because we attach the utmost importance to the continuity of the ocean affairs consultation process, we note with special interest the forthcoming meeting of the United Nations Open-ended Informal Consultative Process on Oceans and the Law of the Sea. We trust that it will have interesting results that will be of benefit to us. In that connection, I wish to place on record that it is my delegation's understanding that the current choice of a sub-item will not create a precedent that will prevent us from addressing a greater number of items in future, so long as we can ensure their efficient consideration.

My country attaches great interest to several issues addressed in the draft resolutions under our consideration, including the safety of navigation, maritime transportation and the protection and

sustainable use of marine biodiversity. We hope to make substantive progress on those issues in the forthcoming negotiations, particularly at the meeting of the Ad Hoc Working Group to be held in February 2006.

We believe that building States' fisheries management capacity is important to ensure effective control and sustainable use of their resources and the transfer of marine technology. We are in favour of studies on the impact of man-generated ocean noise on fisheries and ecologically related species. We particularly support strengthening regional fisheries management organizations in order to establish a comprehensive, stable and predictable regulatory framework based on each regional ecosystem.

We believe it is not only our right, but also our obligation, to state that the international community must focus all its efforts on limiting illegal, unreported and unregulated fishing, subsidies and any other practice that helps to diminish the contribution of fishing to sustainable development.

Moreover, the international community must take action to avoid the impact of marine debris on health and productivity and the resulting economic losses. It is urgent that States reduce the amount of marine debris by implementing national, regional and subregional prevention and rehabilitation programmes. With specific regard to the loss or release of fishing gear and related material, we encourage cooperation and coordination among fishing organizations, programmes and operators to determine its causes and to reduce them by proposing recycling, reuse and reduction strategies based on economic incentives.

Although we wish to be optimistic about the 2006 review conference on the provisions agreed in resolution 59/25 on issues related to the impacts of bottom trawling on vulnerable marine ecosystems, we cannot fail to stress that the irreversible damage already caused to the marine environment leaves us little room for manoeuvre. We therefore urge that measures be intensified to halt such undesirable effects.

With regard to the review conference, I wish to note that my delegation, hoping to secure the broadest possible acceptance of the principles of the 1995 Agreement and the greatest possible participation of States, encourages the participation of States not parties on an equal footing with States parties.

Ms. Zanelli (Peru) (*spoke in Spanish*): My delegation thanks the coordinators of the two draft resolutions before us, Mr. Marcos Lourenço de Almeida of Brazil and Ms. Holly Koehler of the United States.

We also wish to recognize the work of the Division for Ocean Affairs and the Law of the Sea, especially its support in the consultation process and its training programmes, which are particularly helpful to the capacity-building of developing countries.

Peru notes the renewal of the mandate of the Open-ended Informal Consultative Process on Oceans and the Law of the Sea, as well as the agreement to activate the initial phase of the regular process for global reporting and assessment of the state of the marine environment, including socio-economic aspects.

Peru awaits with interest the onset of the work of the Ad Hoc Open-ended Informal Working Group to meet in February 2006 to study questions related to the conservation and sustainable use of marine biodiversity beyond the limits of national jurisdiction. The themes included in the group's mandate must be thoroughly studied, including those relating to the common heritage of humankind and the effective distribution of benefits in conformity with the principles of international law.

Peru is particularly concerned by the issue of the maritime transportation of radioactive materials. We recognize that there have been developments in the framework of the International Atomic Energy Agency. We intend to pursue efforts to implement the Action Plan for the Safety of Transport of Radioactive Material and to continue dialogue and consultations with the States involved.

Peru emphasizes the importance of the trade in fisheries products, particularly for the developing countries, and thus attaches great significance to the appeal made in draft resolution A/60/L.23 for the elimination of barriers to trade and for effective, non-discriminatory access to markets.

Peru recognizes the valuable contribution of fisheries to food security and to the fight against poverty, as well as the role played by craft fishing in that area. It is important to stress the problems inherent to craft fishing, to provide financial support, and to support capacity training, including the transfer of technology. In that regard, we recognize the work of the Food and Agriculture Organization of the United

Nations and encourage States, financial institutions and intergovernmental organizations to support efforts to that end.

Peru reiterates the great importance for all States to participate on an equal footing in the review conference of the parties to the 1995 Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks, as well as in its preparatory process, in order to promote the Agreement's universality. The rules of procedure of the review conference must preserve the integrity of article 36 of the Agreement, a provision allowing the participation of intergovernmental and non-governmental organizations only in their capacities as observers.

Peru is convinced of the need to continue to increase the efficiency of the informal consultations on the two draft resolutions under consideration by the General Assembly. One issue of great importance is the need to ensure the effective participation of delegations in the consultations. Peru therefore welcomes the fact that the concerns expressed by many delegations, including our own, have been taken into account in paragraph 113 of draft resolution A/60/L.22, whereby it would be decided to limit the period of the informal consultations on both resolutions to a maximum of four weeks in total and to ensure that the consultations are scheduled in such a way as to avoid overlap with the period during which the Sixth Committee is meeting. That programming improvement must be accompanied by a joint effort to reduce the length of the draft resolutions.

The President: In accordance with General Assembly resolution 54/195 of 17 December 1999, I now call on the observer for the International Union for the Conservation of Nature and Natural Resources.

Ms. Kimball (International Union for the Conservation of Nature and Natural Resources): Once again it is time to take stock of the world's oceans and fisheries. For the International Union for the Conservation of Nature and Natural Resources (IUCN), the conservation of natural resources and ecosystems is a fundamental underpinning of world food security and poverty alleviation. That applies equally in the marine realm. We welcome the reference to oceans in the outcome of the 2005 world summit.

Today, challenges in the coastal zone are especially severe, but impacts from human activities are expanding throughout the oceans. In areas beyond national jurisdiction, collective action is essential for effective conservation and management, not only to support species and habitat recovery in more heavily impacted zones, but also to maintain the biodiversity of the international commons for the benefit of all.

IUCN has supported three main avenues for making progress. Most critically, we need to improve high seas fisheries conservation and management, to ensure ecosystem and precautionary approaches based on the best available scientific information, and to end all forms of illegal, unreported and unregulated fishing.

Secondly, we need to identify priority sites for special protection and management measures on a precautionary basis in the short term, and, over the longer term, through a more comprehensive and systematic approach that advances the World Summit on Sustainable Development target of representative marine protected areas by 2012. It is particularly important to protect vulnerable deep sea ecosystems on an interim basis to allow regulatory regimes and scientific research to catch up with current threats, notably destructive fishing methods.

Thirdly, we need to strengthen scientific data collection, research and assessment, especially in deep sea areas, and to provide baselines for harvested resources and for other marine species, habitats and ecological relationships.

On the latter point, we are pleased that the start-up phase of the Global Marine Assessment (GMA) has now been agreed. We urge the GMA process to build on such important international research initiatives as the Census of Marine Life. In order to enhance prospects for international agreement on effective management, as the research community ventures further into deep sea environments, we encourage broad international collaboration and widespread availability of data, samples and findings.

On another issue, IUCN is particularly pleased that the effort to turn back the clock on gradual progress towards transparency and wider participation by civil society and the private sector in United Nations bodies has taken a pragmatic course. It is vital that the tools the international community has developed to further those goals and to balance the

interests and needs of States be applied consistently and fairly.

Concerning next year's developments, IUCN would like to see substantial efforts to halt unregulated and inadequately regulated high seas fisheries, especially such destructive fishing practices as bottom trawling that impact vulnerable marine ecosystems. Like other conservation groups, IUCN considers that next year's progress review on that issue offers major opportunities to improve high seas fisheries governance.

We will continue to support a performance review of regional fisheries management organizations based on objective criteria. In our view, a global mechanism will be necessary at some stage to promote the consistent application of best practices by those bodies and to reflect the stake of the international community as a whole.

At the upcoming review conference for the Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks, we will look for several commitments to establishing a time frame for formally applying relevant provisions of the Agreement to discrete high seas fish stocks; ensuring regular review of the Agreement's implementation over the longer term; elaborating and endorsing technical guidance to flesh out the Agreement's precautionary approach for new and exploratory fisheries; expediting the work of the Food and Agriculture Organization of the United Nations (FAO) on technical guidelines to manage deep sea fisheries and on the use of marine protected areas in fisheries management; considering a global scientific mechanism to assist regional fisheries management organizations in ensuring quality data collection and assessment methods that support the Agreement's ecosystem and precautionary approaches; and strengthening links among regional fisheries management organizations and with FAO to create a seamless network of information on high seas fishing vessels, owners and operators, traded fish products, and actions by port, flag, coastal and market States so that illegal, unreported and unregulated fishing is truly banished.

With regard to the meeting of the Ad Hoc Open-ended Informal Working Group that is to take place in February, the Union believes it will be important to affirm stronger collective responsibility on the part of all States to ensure the conservation and sustainable use of marine biodiversity beyond national jurisdiction. We hope that the Group will be able to move beyond the debate — which no one will win — regarding whether deep seabed genetic resources beyond national jurisdiction are, or are not, the common heritage of humankind. Instead, it could look to established principles that may provide common ground for further deliberations.

We all know many of those principles. They include precautionary and ecosystems approaches; sustainable and equitable use of resources; the duty not to cause damage to the marine environment beyond national jurisdiction, including rare or fragile ecosystems; prior environmental impact assessment; and, importantly, the promotion of international cooperation and capacity building in marine scientific research by making available information on proposed major scientific research programmes, their objectives and resulting knowledge, as specified in the Convention on the Law of the Sea. Such principles can lead to the identification of both near-term precautionary actions and medium-term initiatives. And there are others.

In the near term, we note especially the opportunity for the Working Group to link marine scientific research, the conservation agenda and the identification of priority sites for special protection and management measures. Those sites could serve different purposes: as areas for managing the risks to marine biodiversity in sensitive and vulnerable ecosystems; as relatively undisturbed areas for long-term scientific research and environmental monitoring; or as genetic reservoirs for promoting the recovery of impacted species and areas or encouraging scientific activities related to bio-prospecting.

Finally, like many others, we are grateful for the continually excellent reports produced by the Secretary-General.

The President: In accordance with General Assembly resolution 51/6, of 24 October 1996, I now call on Mr. Satya Nandan, Secretary-General of the International Seabed Authority.

Mr. Nandan (International Seabed Authority): I should like to express my appreciation for the Secretary-General's reports on oceans and the law of

the sea (*A/60/63 and Add.1 and Add.2*), as well as for the report on sustainable fisheries (*A/60/189*). They provide comprehensive accounts on recent developments in the law of the sea and, together with the report on the work of the Open-ended Informal Consultative Process on Oceans and the Law of the Sea (*A/60/99*), are essential background for the consideration by the General Assembly of agenda item 75, entitled "Oceans and the law of the sea.

I would like to compliment the Secretariat of the Division for Ocean Affairs and the Law of the Sea for preparing the reports, specially its Director, Mr. Vladimir Golitsyn, whose leadership of the Division has given focus and renewed impetus to its work.

I would also like to express my appreciation to the coordinators of the two draft resolutions before the Assembly, as well as to their colleagues, for their untiring efforts in forging agreements on the two draft texts. I am particularly appreciative of the references in the omnibus draft resolution (*A/60/L.22*) to matters relating to the International Seabed Authority.

Since my statement to the Assembly at the fifty-ninth session, the International Seabed Authority has held its eleventh session in Kingston. That session was marked by a significant event, namely, the submission of an application for approval of a plan of work for the exploration of polymetallic nodules by the Federal Republic of Germany, as represented by the German Federal Institute for Geosciences and Natural Resources. As required, the applicant has expended more than $30 million in research and prospecting in the deep seabed. The application pertains to the Clipperton-Clarion Fracture Zone of the north-east Pacific Ocean. It covers an area of 149,976 square kilometres that is divided into two areas of equal estimated commercial value, as required by the Convention and the regulations of the Authority. Among other things, the applicant has provided a programme for its exploration activities and a programme for environmental monitoring, as well as a training programme for developing country scientists.

In accordance with the Authority's mining code, the application was reviewed by the Legal and Technical Commission, which recommended its approval to the Council of the Authority, identifying the area to be allocated to the applicant and the area to be reserved for the Authority under the parallel system. The Council, having considered the recommendations of the Legal and Technical Commission, approved the plan of work for exploration of polymetallic nodules on 23 August 2005, and requested the Secretary-General to issue a contract to the applicant in accordance with the regulations.

That application for a contract and its approval by the Council constitute an important milestone in the life of the Authority, as that was the first new application received following the entry into force of the 1982 Convention and the establishment of the Authority. Germany now joins seven other contractors that were initially registered as pioneer investors by the Preparatory Commission and were sponsored, respectively, by China, France, India, Japan, the Republic of Korea, the Russian Federation and a consortium of Eastern European countries based in Poland.

During the Authority's eleventh session, the Authority made significant progress with regard to the draft regulations on prospecting and exploration for polymetallic sulphides and cobalt-rich crusts submitted to it by the Legal and Technical Commission. The Council completed its first reading of the regulations and requested the secretariat to provide more detailed analysis and elaboration on a number of issues in the draft regulations: in particular on the size of the exploration areas, the proposed system for the allocation of exploration blocks and the way in which it would operate in practice, as well as on the proposed schedule for the relinquishment of one half of the exploration area.

It was noted that, compared to the regulations on prospecting and exploration for polymetallic nodules, the draft regulations on polymetallic sulphides and cobalt-rich crusts contained additional provisions aimed at the protection and preservation of the marine environment. It was recalled that some of the studies carried out by the Authority had suggested that there was a greater risk of environmental damage from exploration for sulphides and crusts as compared to exploration for polymetallic nodules.

The Council considered that it would be helpful if it could be provided with a more detailed analysis of the proposed changes to the draft regulations and their relationship to the provisions of the Convention and the 1994 Agreement. The Council also noted that it would be necessary for the draft regulations to include appropriate provisions consistent with the Convention and the Agreement for the resolution of overlapping

claims. It was also noted that the draft regulations did not appear to reflect fully the anti-monopoly provisions contained in annex III of the Convention.

The Council will continue its consideration of the draft regulations at its next session. In the meantime, the secretariat has been requested to prepare a revised text of the draft in order to address some of the technical issues that were raised during the session, as well as to provide additional technical papers and analyses of the more complex issues, in order to guide the discussions in the Council.

Over the last several years, the Authority has convened a series of workshops on topics related to the deep seabed environment and its resources. The participants in those workshops were experts with practical experience in research and exploration in the deep ocean. The workshops provided the best available scientific information on deep seabed resources and the ecosystems in which they are found. The data and information obtained enables the Authority to develop regulations and recommendations for activities in the Area on the basis of objective scientific information. The proceedings of those workshops are regularly published and are available.

In 2006, the Authority will hold two further workshops, the first of which will be held from 27 to 31 March. It will focus on the distribution of potential commercial deposits of cobalt-rich ferromanganese crusts in the Area, the conditions leading to the formation of such deposits, an assessment of the patterns of diversity, endemism and scales of seamount faunas, and the factors that appear to drive those patterns. The workshop will be held in collaboration with scientists from the chemosynthetic ecosystems group and the seamounts group of the Census for Marine Life. The workshop should result in a bio-geographic synthesis of seamount fauna based on research conducted by scientists from Australia, France, Japan, New Zealand and the Republic of Korea. Scientists from other countries will also be invited to participate. The second workshop will focus on economic and technological considerations for mining of polymetallic sulphides and cobalt-rich crusts and will be held from 31 July to 4 August, the week immediately preceding the twelfth session of the Authority. That should facilitate participation by representatives of member States and members of the Legal and Technical Commission, in addition to the invited experts.

In accordance with paragraph 2 of article 143 of the Convention, the Authority is engaged in promoting marine scientific research in the deep ocean and, to that end, it encourages and collaborates with groups of international scientists. It is apparent from those endeavours that scientists from developing countries are not involved in such research activities. At this early stage in the research and exploration activities in the Area, much of the scientific techniques that are used could also be used for research activities in national areas. For example, the DNA techniques being utilized in the Kaplan project to assess the distribution of organisms in the Clarion-Clipperton Zone, with which the Authority is associated as a sponsor, could be readily used for research in the distribution of the biodiversity in exclusive economic zones.

In order to facilitate the participation of scientists from developing countries, who have neither the capacity nor the opportunities to benefit from some of the advanced techniques in marine scientific research, I have proposed to the members of the Authority that a voluntary trust fund be established to provide opportunities for qualified scientists from institutions in developing countries to participate in research activities in the Area conducted by international scientists and contractors. The training could be conducted at sea and/or in the laboratories of scientific institutions in advanced countries. In implementing that programme, preference would be given to scientists affiliated with universities or research institutions in developing countries so that the knowledge and experience gained could be disseminated widely through such institutions. That initiative for capacity-building received the general approval of the members of the Authority and they have requested that a more detailed proposal on the establishment of the voluntary fund and the training programme be presented for consideration at the twelfth session. Details on a further proposal to establish an endowment fund from the fees paid to the Authority by the contractors would also be presented to the twelfth session. The income from that fund would be used to supplement the voluntary trust funds of the Authority.

I would like to take this opportunity to express my appreciation to members of the Authority that have contributed to the voluntary trust fund in order to enable the participation of members from developing countries in the work of the Legal and Technical

Commission and the Finance Committee. It is gratifying to note that the contributions made to the fund have come from developed and developing countries. I appeal to those that have not yet contributed to consider doing so, as full participation in the institutions of the Authority contributes to its effective operation.

One of the difficulties that the Authority continues to encounter is the lack of adequate participation of its member States in its annual sessions. Although much of the work being carried out by the Authority has universal effect, especially since the rules and regulations being adopted are binding on member States, the participation of member States over the last few years has been less than one half of the membership. That creates procedural difficulties for the Assembly of the Authority and impedes its efficient operation, since the quorum required under the Convention is a presence of one half of the members. This is a matter of serious concern and I am pleased that it is addressed in paragraph 30 of the draft resolution contained in document A/60/L.22.

I would like to appeal to all States members of the Authority to attend its annual sessions and participate fully in its work. That is an obligation that stems from being a party to the Convention. The next session of the Authority will be held from 7 to 18 August 2006. It is always difficult to arrive at broadly acceptable dates for the annual sessions. Account has to be taken of the meetings relating to oceans and the law of the sea being held in New York and elsewhere, which are attended by a core group of the same participants, as well as the availability of conference services in the overall programme of meetings of the United Nations. I take note of the concerns expressed in paragraph 30 of the draft resolution and we will continue consultations with conference services for more suitable dates.

Some eight years ago, I advocated in this Assembly for the establishment of a forum outside the General Assembly session that would provide more time for the in-depth consideration of current issues relating to the law of the sea, in particular those arising from the implementation of the Convention. Such a forum would encourage consistent interpretation and application of the Convention and facilitate coordination and cooperation in ocean-related activities being carried out in different organizations and bodies. The proposal was also designed to bring the consideration of oceans and the law of the sea, which had diminished after the conclusion of the Third United Nations Conference on the Law of the Sea in 1982, back into the mainstream of activities of the United Nations.

It is gratifying that, over the past six years, the United Nations Open-ended Informal Consultative Process on Oceans and the Law of the Sea has been highly successful in providing an invaluable forum for the exchange of views on emerging issues and has helped States, international organizations and bodies, and civil society to consider in some detail the issues raised in the annual reports of the Secretary-General. It has not only enabled the General Assembly to have a more focused discussion, but also helped it to re-establish its central role in matters relating to the law of the sea and ocean affairs. Furthermore, in considering the issues arising from the implementation of the Convention and in addressing new issues that have arisen since the Convention was adopted within the framework of the Convention and its implementing agreements, the Informal Consultative Process has contributed to the strengthening of the regime for the oceans and the seas contained in the 1982 Convention. It is only appropriate, therefore, that the Assembly should decide to extend the Informal Consultative Process for at least a further three years.

The President: In accordance with General Assembly resolution 51/204 of 17 December 1996, I now call on the President of the International Tribunal for the Law of the Sea.

Mr. Wolfrum (International Tribunal for the Law of the Sea): On behalf of the International Tribunal for the Law of the Sea, I wish to express my appreciation for the opportunity given to me to address the General Assembly at its sixtieth session on the occasion of its annual examination of the item "Oceans and the law of the sea". I extend to you, sir, my personal congratulations and those of the Tribunal on your being elected President of the General Assembly.

I would like to take this opportunity to report to the General Assembly on the developments which have taken place with respect to the Tribunal since the last meeting of the General Assembly. I will then make some remarks regarding the jurisdiction of the Tribunal.

As regards organizational matters, I can inform the General Assembly that, on 22 June 2005, the Meeting of

States Parties elected seven judges to the Tribunal for a term of nine years. Two judges of the Tribunal — Judge Choon-Ho Park of the Republic of Korea and Judge Dolliver Nelson of Grenada — were re-elected. The judges newly elected are Mr. Stanislaw Pawlak of Poland, Mr. Shunji Yanai of Japan, Mr. Helmut Türk of Austria, Mr. James Kateka of Tanzania and Mr. Albert Hoffmann of South Africa. They, as well as Judges Park and Nelson, will serve until 30 September 2014.

In the course of 2005, the Tribunal held its nineteenth and twentieth sessions, which were devoted to legal and judicial matters, as well as administrative and organizational issues. On 30 September 2005, my predecessor, Judge Dolliver Nelson, completed his three-year term as President of the Tribunal. On 1 October 2005, I was elected President of the Tribunal for a three-year term and the Tribunal elected Judge Joseph Akl of Lebanon as Vice-President and Judge Hugo Caminos of Argentina as President of the Seabed Disputes Chamber.

As regards its judicial work, in December 2004 the Tribunal dealt with the Juno Trader case. That was the thirteenth case submitted to the Tribunal. It involved urgent proceedings concerning the prompt release of the vessel Juno Trader and its crew under article 292 of the Convention. Proceedings were instituted on 18 November 2004 by an application filed on behalf of Saint Vincent and the Grenadines against Guinea-Bissau. The Tribunal delivered its judgment on 18 December 2004. It may be noted that, in keeping with its jurisprudence, the Tribunal applied to the Juno Trader case the various factors relevant to an assessment of the reasonableness of bonds or other financial security which it had identified in previous judgments.

I am pleased to state that the judgment of the Tribunal in the Juno Trader case was adopted unanimously and that the vessel was released pursuant to the judgment. It is also important to note that, for this case, use was made for the first time of the trust fund which is administered by the United Nations to assist developing countries in the settlement of disputes through the Tribunal.

Since the commencement of its activities in October 1996, 13 cases have been brought before the Tribunal. While the Tribunal has broad jurisdiction over any dispute regarding the interpretation and application of the Convention or any agreement related to the purposes of the Convention, the majority of those cases have been confined to instances in which the jurisdiction of the Tribunal is compulsory — the prompt release of vessels and crews and the prescription of provisional measures pending the constitution of an arbitral tribunal. It is safe to say that the jurisdictional powers of the Tribunal have not yet been exhausted. For that reason, I would like to thank the sponsors of the draft resolution for noting the Tribunal's continued and significant contribution to the settlement of disputes by peaceful means in accordance with Part XV of the Convention and for underlining the important role and authority of the Tribunal concerning the interpretation or application of the Convention and the Agreement relating to the Implementation of Part XI of the Convention.

The jurisdiction of the Tribunal is based not only on the United Nations Convention on the Law of the Sea, but also on any international agreement related to the purposes of the Convention which specifically confers jurisdiction on the Tribunal. Seven such multilateral agreements have already been concluded. An important example of an international agreement conferring jurisdiction on the Tribunal is the 1995 Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks, which provides that any dispute between States parties to the Agreement concerning the interpretation or application of the Agreement — whether or not they are also parties to the law of the sea Convention — is subject to the mechanism for settling disputes which is set out in Part XV of the Convention. The straddling fish stocks Agreement also makes that mechanism applicable to disputes concerning subregional, regional or global fisheries agreements relating to straddling or highly migratory fish stocks. It is interesting to note that the straddling fish stocks Agreement has modified the Tribunal's competence to prescribe provisional measures, since it allows the Tribunal to prescribe provisional measures not only to protect the rights of the parties, but also to prevent damage to the fish stocks in question. Likewise, the Tribunal is empowered to order provisional measures pending agreement between coastal States and fishing States as concerns the conservation and management of straddling stocks.

I should also like to draw the Assembly's attention to a further international agreement conferring jurisdiction on the Tribunal: the 2001 Convention on

the Protection of Underwater Cultural Heritage. Similarly, that Convention applies Part XV of the law of the sea Convention *mutatis mutandis* to any dispute between parties to it, whether or not they are parties to the law of the sea Convention.

Those international agreements are indeed useful developments and we would like to encourage States to consider making use of the possibility of including similar provisions in future agreements concerning the law of the sea that are the subject of international negotiations. I am grateful to the sponsors of the draft resolution for having noted that States parties to an international agreement related to the purposes of the Convention may submit to the Tribunal any dispute concerning the interpretation or application of that agreement which is submitted to it in accordance therewith.

A provision conferring jurisdiction on the Tribunal could also be included in bilateral agreements in respect of disputes arising out of the interpretation or application of the relevant agreement. According to such a provision, a dispute concerning the agreement should, at the request of any party to it, be submitted to the Tribunal or to an ad hoc chamber of the Tribunal if the dispute is not solved by diplomatic means within a certain period. The provision could also contain details of the method of selecting the judges or judges ad hoc who would sit in the chamber. In that respect, the procedure set out in article 3 of Annex VII to the Convention could serve as a model.

The inclusion of such provisions in international agreements is a fully logical development. It follows a pattern established during the nineteenth century as regards arbitration and during the twentieth century in respect of the International Court of Justice. As for the Tribunal, such a development would certainly enhance the central role it plays in the settlement of disputes regarding law of the sea matters. May I refer, in that respect, to a statement made by Mr. Joe Borg, Commissioner for Fisheries and Maritime Affairs of the European Union, on the occasion of his visit to the Tribunal on 2 September 2005. He said that

> "the European Union, where appropriate, could also offer to include a provision in the agreements relating to the law of the sea which it concludes with third countries binding the parties to refer the settlement of any disputes to the International Tribunal for the Law of the Sea".

May I further emphasize that parties may at any time conclude a special agreement to submit a dispute to the Tribunal or to an ad hoc special chamber of the Tribunal, in accordance with article 15, paragraph 2, of the Statute. An ad hoc special chamber is a suitable alternative for parties considering arbitration. In fact, the composition of the ad hoc special chamber is determined by the Tribunal with the approval of the parties, giving them control over the chamber's composition. The parties are entitled to choose from among the 21 judges of the Tribunal those whom they want to sit in the chamber, while they may also appoint judges ad hoc if the chamber does not include a member of the nationality of the parties. The parties may at any time consult with the President of the Tribunal on any questions regarding the composition of the chamber. They have at their disposal the rules of the Tribunal, which, in particular proceedings, may be amended at their request. In their special agreement, the parties may indicate the specific questions upon which the chamber is requested to give a judgment, and a judgment issued by an ad hoc chamber is considered to have been rendered by the full Tribunal. Finally, the parties do not have to bear the expenses of proceedings before the Tribunal or one of its chambers.

In the *Case concerning the Conservation and Sustainable Exploitation of Swordfish Stocks in the South-Eastern Pacific Ocean*, a case which is still pending on the docket, Chile and the European Community have taken advantage of the ad hoc system. At their request, the Tribunal constituted a chamber composed of five members, four of whom are judges of the Tribunal and one is a judge ad hoc chosen by Chile. It may be recalled that by the Tribunal's Order dated 16 December 2003, the time limit for making preliminary objections with respect to the case was extended, at the request of the parties, until 1 January 2006 in order to enable them to reach a settlement.

So far, the swordfish case is the only one to have been submitted to an ad hoc chamber. In my view, the potential offered by that alternative, which we call arbitration within the Tribunal, has not yet been fully realized. In that connection, I would like to thank the sponsors of draft resolution A/60/L.22 for noting the possibility provided for in the Tribunal's Statute of submitting disputes to a chamber of the Tribunal.

I wish to take this opportunity to draw attention to the fact that the Seabed Disputes Chamber not only is competent to deal with disputes regarding activities

in the international seabed area but is also empowered to give advisory opinions. The Chamber can exercise its advisory competence and give an advisory opinion, first, at the request of the Assembly or the Council of the International Seabed Authority "on legal questions arising within the scope of their activities" (*Convention on the Law of the Sea, article 191*) and secondly, when certain procedural requirements are met, at the request of the Assembly, "on the conformity with [the] Convention of a proposal before the Assembly on any matter" (*Convention on the Law of the Sea, article 159, paragraph 10*). Such opinions are given as a matter of urgency. The advisory jurisdiction, although non-binding in nature, could assist the Assembly or the Council of the International Seabed Authority in overcoming any differences in legal opinions which may arise as they perform their activities.

In that respect, I would like to mention that advisory proceedings are not limited to matters relating to Part XI of the Convention. Under article 138 of the rules of the Tribunal, the Tribunal may also be requested to give an advisory opinion on a legal question if an international agreement related to the purposes of the Convention specifically provides for the submission of a request for such an opinion.

The advisory function of the Tribunal is a significant innovation in the international judicial system, provided it can be given a broad interpretation. In that case, it may offer a potential alternative to contentious proceedings and could be an interesting option for those seeking a non-binding opinion on a legal question or an indication of how a particular dispute may be solved through direct negotiations. Such proceedings could be of particular assistance to parties to a dispute in the process of reaching a solution by negotiation, for example in maritime delimitation cases. It should not be forgotten that Article 33 of the United Nations Charter states that negotiations are the primary means of settling international disputes.

In that respect, the parties could ask the Tribunal to determine the principles and rules of international law applicable to a delimitation dispute and undertake thereafter to establish the boundary on that basis. The parties can always specify in the agreement the questions upon which the Tribunal would be requested to render an advisory opinion. Certainly, recourse to binding settlement procedures could ultimately also be made, if necessary.

The Tribunal's advisory function is based on article 21 of the Statute, which states that the jurisdiction of the Tribunal comprises all disputes and all applications submitted to it and all matters specifically provided for in any other agreement which confers jurisdiction on the Tribunal. Accordingly, future international agreements, possibly between States or between States and international organizations, could provide for recourse to the Tribunal's advisory procedures. A request for an advisory opinion is to be transmitted to the Tribunal by whichever body is authorized to make the request in accordance with the provisions of the relevant international agreement. The term "body" refers to the competent organ of any entity, State or organization that is empowered under the agreement to submit the request.

As the Tribunal feels that knowledge of its procedures should be widely promoted, it is planning to hold, during the course of next year, conferences in different areas of the world to present the work of the Tribunal. Those conferences will benefit from the participation of judges from the corresponding region.

I am glad to report that the Tribunal has taken further steps to develop its relationships with other international organizations and bodies; this year, an administrative arrangement was concluded between the Tribunal and the United Nations Environment Programme.

I would like to mention that, since November last year, eight States have acceded to the Agreement on the Privileges and Immunities of the Tribunal, which brings the total to 21. In that context, I refer to General Assembly resolution 59/24, in which the Assembly called upon States that have not yet done so to consider ratifying or acceding to the Agreement. That recommendation has also been included in this year's draft resolution. We appreciate that.

As of 31 October 2005, there was an unpaid balance of assessed contributions to the overall budget of the Tribunal amounting to approximately €2.5 million for the period from 1996-1997 to the 2005 budget of the Tribunal. The Tribunal is aware of the difficulties that situation may cause with respect to its functioning. The Registrar will send notes verbales to the States parties concerned in December 2005, reminding them of their outstanding contributions to the budget of the Tribunal. We are grateful to the sponsors of the draft resolution for incorporating an appeal to States parties in that regard.

I wish to draw the attention of representatives to the Tribunal's internship programme and to the grant provided by the Korea International Cooperation Agency for funding the participation of candidates from developing countries in the programme. On behalf of the Tribunal, I wish to convey our deep gratitude to the Korea International Cooperation Agency for that generous contribution.

Mr. President, I should like to conclude by expressing my appreciation to you and to representatives for the opportunity given me to address this meeting. I wish also to thank the Secretary-General, the Legal Counsel and the Director of the Division for Ocean Affairs and the Law of the Sea for their support and in particular for their excellent reports. I should like also to wish the General Assembly every success in its important deliberations at this session.

The President: We have heard the last speaker in the debate on agenda item 75 and its sub-items (a) and (b).

Before we proceed further, I should like to consult the Assembly with a view to proceeding with the consideration of draft resolutions A/60/L.22 and A/60/L.23 today. Since the draft resolutions have been circulated only today, it would be necessary to waive the relevant provision of rule 78 of the rules of procedure. The relevant provision of rule 78 reads as follows:

> "As a general rule, no proposal shall be discussed or put to the vote at any meeting of the General Assembly unless copies of it have been circulated to all delegations not later than the day preceding the meeting."

Unless I hear any objection, I shall take it that the Assembly agrees with this proposal.

It was so decided.

The President: We shall now proceed to consider draft resolutions A/60/L.22 and A/60/L.23.

In connection with draft resolution A/60/L.22, I would like to give the floor to the representative of the Secretariat.

Mr. Botnaru (Chief, General Assembly Affairs Branch): I would like to inform members that under the terms of operative paragraphs 21, 34, 99 and 101 of draft resolution A/60/L.22, the General Assembly would, first, request the Secretary-General to convene the sixteenth Meeting of States Parties to the Convention in New York from 19 to 23 June 2006 and to provide the services required; secondly, approve the convening by the Secretary-General of the seventeenth session of the Commission in New York from 20 March to 21 April 2006, and of the eighteenth session of the Commission from 21 August to 15 September 2006, on the understanding that the following periods will be used for the technical examination of submissions at the GIS laboratories and other technical facilities of the Division: 20 to 31 March 2006; 10 to 21 April 2006; 23 August to 5 September 2006, and 11 to 15 September 2006.

Thirdly, the General Assembly would also reaffirm its decision to undertake an annual review and evaluation of the implementation of the Convention and other developments relating to ocean affairs and the law of the sea, welcome the work of the Consultative Process over the past six years, note the contribution of the Consultative Process to strengthening the annual debate of the General Assembly on oceans and the law of the sea, and decide to continue with the Consultative Process for the next three years, in accordance with resolution 54/33, with a further review of its effectiveness and utility by the Assembly at its sixty-third session; and, fourthly, it would request the Secretary-General to convene the seventh meeting of the Consultative Process in New York from 12 to 16 June 2006, to provide it with the necessary facilities for the performance of its work and to arrange for support to be provided by the Division, in cooperation with other relevant parts of the Secretariat, as appropriate.

As concerns the conference servicing requirements for the anticipated meetings referred to in paragraphs 21, 34 and 101, it should be noted that the sessions have already been programmed in the draft calendar of conferences and meetings for 2006. Necessary resources for servicing those meetings are included in the proposed programme budget for 2006-2007.

Accordingly, should the General Assembly adopt draft resolution A/60/L.22, no additional requirements would arise under the proposed programme budget for the biennium 2006-2007.

The President: I shall now give the floor to those representatives wishing to speak in explanation of vote before the voting.

May I remind delegations that explanations of vote are limited to 10 minutes and should be made by delegations from their seats.

Mr. Zhang Yishan (China) (*spoke in Chinese*): The Chinese Government attaches great importance to the review conference to be held next year on the 1995 United Nations Fish Stocks Agreement as well as to its preparatory meeting.

Here we would like to register our reservations on the wording contained in operative paragraph 25 of the draft resolution (A/60/L.23) on fisheries. The Chinese Government is of the view that the Agreement is a major extension of the United Nations Convention on the Law of the Sea. Its signing and entry into force have had a significant impact on the conservation and management of fishing resources on the high seas and also on international cooperation in the fishing industry.

The review conference is intended for the international community, represented by the United Nations, to review the Agreement in order to evaluate its efficacy in ensuring the conservation and management of straddling fish stocks and highly migratory fish stocks and put forward relevant recommendations where necessary. It needs to be emphasized that this conference is a United Nations review conference, not a review conference of the States parties. The broad participation, on an equal footing, of both States parties and States that are not parties to the Agreement, as provided for in article 36 of that Agreement, is pivotal to the success of the review conference.

The preparatory meeting for the review conference is an integral part of the review process. Although it is taking the form of the fifth round of informal consultations of States parties to the Agreement, its objectives and agenda are devoted to the review conference.

The preparatory meeting is a United Nations meeting, not just a meeting of the States parties, and therefore States that are not parties to the Agreement should enjoy rights equal to those of States parties.

We welcome the wording in operative paragraph 25 inviting States which are not parties to the Agreement to participate fully on an equal footing with States parties and reaffirming that every effort will be made to adopt recommendations on the basis of consensus.

However, we regret to note that the same paragraph specifies that States that are not parties to the Agreement will participate in the meeting without voting rights. We believe that this wording tends not only to erode the mutual trust between States parties and State non-parties but also to undermine the rights of States non-parties and that it is therefore not in the interest of broad participation in the review conference and its preparatory meeting.

The Chinese Government highly commends the efforts made by the international community with respect to the draft resolution on fisheries. For the reasons I mentioned earlier, however, we have reservations relating to the wording contained in operative paragraph 25 with regard to States non-parties participating without voting rights. We have therefore decided not to join the General Assembly consensus on this draft resolution, but we will not stand in the way of its adoption without a vote.

Mr. Erciyes (Turkey): With regard to the two draft resolutions before us under agenda item 75, Turkey will vote against the draft resolution contained in document A/60/L.22, entitled "Oceans and the law of the sea". The reason for my delegation's negative vote is that some of the elements contained in the United Nations Convention on the Law of the Sea, which have prevented Turkey from approving the Convention, are again retained in this year's draft resolution.

Turkey supports international efforts to establish a regime of the sea based on the principle of equity, which can be acceptable to all States. However, in our opinion, the Convention does not make adequate provision for special geographic situations and, as a consequence, is not able to establish an acceptable balance between conflicting interests. Furthermore, the Convention makes no provision for the registering of reservations on specific clauses.

Although Turkey agrees with the Convention in its general intent, and with most of its provisions, it is unable to become a party to it because of those serious shortcomings. That being the case, Turkey cannot support the draft resolution, which also calls on States to become parties to the Convention and to harmonize their national legislation with its provisions.

As for the draft resolution on sustainable fisheries, contained in document A/60/L.23, my delegation would like to state that Turkey is fully

committed to the protection, conservation, management and sustainable use of marine living resources and attaches great importance to regional cooperation to that end. For that reason, Turkey supports draft resolution A/60/L.23. However, I would like to reaffirm once again the position of my country vis-à-vis the Convention. For the reasons that I have just outlined, Turkey is not able to consent to certain references to the Convention made in the draft resolution, in particular operative paragraph 3, in which States are called on to become parties to the Convention. Turkey therefore disassociates itself from the consensus on those particular references.

Mr. Journès (France) (*spoke in French*): I am taking the floor with regard to paragraph 46 of the draft resolution A/60/L.22, "Oceans and the law of the sea", under section VIII, on maritime safety and security.

France did not co-sponsor the draft resolution this year. France takes note of the concerns that the transportation of radioactive materials raises among some island States. We regret, however, the specific focus on that issue, since safety and security measures in general should be strengthened for the maritime transportation of all hazardous materials and pollutants, particularly hydrocarbons.

France, for its part, has on a number of occasions been the victim of accidents, raising questions about the maritime transportation of hydrocarbons and its serious environmental impact. France would like to stress once again that the maritime transport of radioactive materials should take place with full respect for the international law of the sea and under the strictest safety standards, drawn up and regularly reviewed by the most competent authorities in that matter — the International Atomic Energy Agency and the International Maritime Organization.

The safety record with regard to the maritime transportation of radioactive material is excellent: no accident has ever occurred. France is itself a coastal State and has a direct interest in the greatest possible respect for safety and security of such transport.

Finally, France wishes to recall its readiness to engage in a technical dialogue with the States concerned on the question of the safety of the maritime transport of radioactive materials. With a view to enhancing mutual trust, France has already taken part in many technical consultative meetings with the States concerned and has for many years carried out information programmes on a voluntary basis.

The President: I ask for the indulgence and understanding of members, but there is a technical problem that, it seems, cannot be easily resolved, which will result in a delay. As the Assembly knows, the interpreters have a deadline in 15 minutes. Given that a number of representatives wish to speak in explanation of vote and that we still have to take action on the draft resolutions, we will not make the deadline. I therefore intend to adjourn the meeting now. We will take up this item again tomorrow morning at 10 a.m., before moving on to agenda item 17 and sub-item (e) of item 73.

The meeting rose at 6.15 p.m.